

MAK

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.	<u>21-59</u>
v.	:	DATE FILED:	<u>2-25-21</u>
JOSE HERNANDEZ,	:	VIOLATIONS:	
a/k/a "Uncle"	:	18 U.S.C. § 922(a)(1)(A) (unlicensed	
	:	dealing in firearms – 1 count)	
	:	18 U.S.C. § 922(o)(1) (possession	
	:	of a machine gun – 1 count)	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From in or about December 2019 through on or about January 28, 2021, in Philadelphia, in the Eastern District of Pennsylvania, defendant

JOSE HERNANDEZ,
a/k/a "Uncle,"

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 28, 2021, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JOSE HERNANDEZ,
a/k/a "Uncle,"**

knowingly possessed a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, a fully automatic 9mm, AR-style pistol, with no serial number.

In violation of Title 18, United States Code, Section 922(o)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(o)(1) and 922(a)(1)(A), as set forth in this Indictment, defendant

**JOSE HERNANDEZ,
a/k/a "Uncle,"**

shall forfeit to the United States of America all firearms and ammunition involved in or used in the commission of such offenses, including, but not limited to:

1. A black and gold, 9mm, semi-automatic pistol;
2. 10 live rounds of 9mm ammunition, marked "N F C R" on the headstamp;
3. A black, 9mm semi-automatic pistol;
4. 28 live rounds of ammunition, consisting of 11 live rounds of Remington Arms Company 9mm ammunition, marked "R - P" on the headstamp, and 17 live rounds of Federal Cartridge Company 9mm ammunition, marked "N F C R" on the headstamp;
5. A 9mm semi-automatic pistol, with a gray lower receiver and a black slide, bearing serial number "#ADX285" on one side, and the inscription "Glock 43 USA 9x19" on the other side;
6. Two magazines containing 16 live rounds of 9mm ammunition, consisting of 15 live rounds of Speer 9mm ammunition, marked "BLAZER" on the headstamp, and one live round of Fiocchi 9mm ammunition, marked "G.F.L." on the headstamp;
7. A .223-caliber Short Barreled Rifle (Privately Made Firearm);
8. One Magpul Pmag AR-15 30-round 5.56x45 magazine;
9. 80 rounds of assorted .223-caliber ammunition;
10. Two Glock factory cases, one for G43 Green Frame S/N ADXE320 and one for G19 S/N BKPV239;
11. One clear plastic baggie containing parts for Glock full-auto conversion device;
12. One clear plastic baggie containing an M16 machinegun sear;
13. 22 rounds of Fiocchi 12-gauge ammunition;

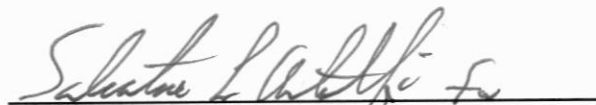
14. 214 rounds of assorted 9mm ammunition;
15. 198 rounds of assorted .223-caliber ammunition;
16. Two plastic ammunition cans;
17. Two Magpul Pmag AR-15 30-round 5.56x45 magazines;
18. One ETS 30-round 5.56x45/7.62x35 magazine;
19. 29 rounds of Remington .223-caliber ammunition;
20. Three AR-15 style magazines;
21. 60 rounds of Lake City .223-caliber ammunition;
22. A fully automatic 9mm AR-style pistol with no serial number (Privately Made Firearm);
23. One Glock extended magazine;
24. 25 rounds of CCI Blazer 9mm ammunition;
25. Five 9mm magazines;
26. Six .40-caliber magazines;
27. 98 rounds of assorted .40-caliber ammunition;
28. A .40-caliber 50-round drum magazine;
29. An SKB Arms (Ithaca) Model XL9000 12-gauge shotgun bearing serial # S1955488;
30. One 5.56x45mm/.223 drum magazine;
31. One silencer, black, approximately 7.5 inches in length, no markings or serial number
32. One silencer, black, approximately 10 inches in length, no markings or serial number;
33. One silencer, black, approximately 6.75 inches in length, no markings or serial number;
34. An AR-style unfinished lower receiver and an AR-style charging handle, contained in brown cardboard box with sticker for "Modulus Arms";
35. One clear plastic baggie containing parts for Glock full-auto conversion device;
36. One Faxon FF-4216 AR bolt;

37. Box containing various AR-style and Glock-style firearms parts;
38. One monocoire silencer baffle;
39. One .357-caliber Glock magazine;
40. A partially-assembled "Polymer80"-style pistol comprised of gray frame, black barrel marked "Alpha Wolf 32-357" and silver slide with knight design;
41. A 9mm pistol (Privately Made Firearm);
42. An unfinished "Polymer80" PF940SC pistol frame contained in red plastic jig, all contained in black cardboard "Polymer80" box;
43. Various gunsmithing tools including jigs and drill components, numerous parts for AR-style and Glock-style firearms, as well as "Polymer80" box;
44. Two "Polymer80" PF940Cv1 red plastic jigs contained in "Polymer80" cardboard boxes;
45. One stripped Glock-style pistol slide and one Glock-style pistol slide with barrel, recoil spring, and internal parts; and
46. Components for Hamilton Rifle Co. Model 27 .22-caliber rifle, including frame, barrel, stock, fore-end, and various small parts contained in plastic baggie, in a disassembled state.

All pursuant to Title 28, United States  18,

United States Code, Section 924(d).

GRAND  N


JENNIFER ARBITTIER WILLIAMS
Acting United States Attorney